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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/826,251
Filing Date: April 04, 2001
Appellant(s): SAINT-HILAIRE ET AL.

MAILED

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Technology Center 2600

Timothy N. Trop
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 6, 2006 appealing from the Office action mailed May 8, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

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(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 4-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Walley et al (US 2002/0090961).

Regarding claim 1, Walley discloses a method comprising:

enumerating a plurality of devices in a first radio frequency network;[0035]

communicating address information about the devices in said first radio frequency network over a non-radio frequency network to a second radio frequency network;[0028,0036, 0042] and

making the address information about the devices in the first radio frequency network available to devices in said second radio frequency network.[0035-0036]

Regarding claim 2, Walley discloses the method of claim 1 including automatically enumerating a plurality of devices in a Bluetooth radio frequency network. [0041]

Regarding claim 4, Walley discloses the method of claim 1 including communicating information about said first radio frequency network over a telephone network. [0028]

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Regarding claim 5, Walley discloses the method of claim 1 including enumerating a plurality of devices in a second radio frequency network. [0041]

Regarding claim 6, Walley discloses the method of claim 5 including combining said first and second radio frequency networks into a combined radio frequency network. [0056]

Regarding claim 7, Walley discloses the method of claim 6 including enabling any device in said first radio frequency network to communicate through a telephone call with any device in said second radio frequency network. [0035-0036]

Regarding claim 8, Walley discloses the method of claim 7 including transmitting data between said first and second radio frequency networks through said telephone call at the same time that a voice communication is ongoing between a device in said first radio frequency network and a device in said second radio frequency network. [0035]

Regarding claim 9, Walley discloses the method of claim 8 including enumerating a cellular telephone as said first and second telephones. [0035]

Regarding claim 10, Walley discloses the method of claim 9 wherein one of said cellular telephones acts as a proxy for the devices in said first radio frequency network and the other of said cellular telephones acts as a proxy for the devices in said second radio frequency network. [0035] If a user cannot use handset HS1, HS2 or HS3 may be used in its place.

Regarding claim 11, Walley discloses an article comprising a computer storage medium storing instructions that, if executed, enable a processor-based system to:

enumerate a plurality of devices in a first radio frequency network; [0035]

communicate address information about the devices in said first radio frequency network over a non-radio frequency network to a second radio frequency network; [0028, 0036] and make the address information about the devices in the fast radio frequency network available to devices in said second radio frequency network.[0035-0036]

Regarding claim 12, Walley discloses the article of claim 11, further storing instructions that enable the processor-based system to automatically enumerate a plurality of devices in a Bluetooth radio frequency network. [0041]

Regarding claim 13, Walley discloses the article of claim 11 further storing instructions that enable the processor-based system to develop enumeration data for a plurality devices in a first radio frequency network and communicate that enumeration data over a non-radio frequency network. [0028]

Regarding claim 14, Walley discloses the article of claim 13 further storing instructions that enable the processor-based system to develop communications about said first radio frequency network over a telephone network. [0040]

Regarding claim 15, Walley discloses the article of claim 11 further storing instructions that enable the processor-based system to receive enumeration data from a plurality of devices in a second radio frequency network coupled to said first radio frequency network by said non-radio frequency network. [0035-0042]

Regarding claim 16, Walley discloses the article of claim 15 further storing instructions that enable said processor-based system to combine said first and second radio frequency network enumeration data to develop a combined radio frequency network. [0056]

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Regarding claim 17, Walley discloses the article of claim 16 further storing instructions that enable the processor-based system to enable any device in said first radio frequency network to communicate with any device in said second radio frequency network. [0035-0036]

Regarding claim 18, Walley discloses the article of claim 17 further storing instructions that enable the processor-based system to transmit data from said first to said second radio frequency network via said call at the same time that a voice communication is ongoing between a device in said first radio frequency network and a device in said second frequency network. [0035]

Regarding claim 19, Walley discloses the article of claim 18 further storing instructions that enable the processor-based system to implement cellular radio frequency communications. [0035-0036]

Regarding claim 20, Walley discloses the article of claim 19 further storing instructions that enable a cellular telephone in said first radio frequency network to act as a proxy for other devices in said first radio frequency network. [0035] If a user cannot use handset HS1, HS2 or HS3 may be used in its place.

Regarding claim 21, Walley discloses a device comprising:

a radio frequency receiver;

a radio frequency transmitter, and

a processor to enumerate devices in a first radio frequency network and to enumerate a plurality of devices in a first radio frequency network, communicate address information about the devices in said first radio frequency network over a non-radio frequency network to a second

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radio frequency network, and make the address information about the devices in the first radio frequency network available to devices in said second radio frequency network. [0035-0036]

Regarding claim 22, Walley discloses the device of claim 21 wherein said radio frequency transmitter includes a cellular radio frequency transmitter. [0040-0041]

Regarding claim 23, Walley discloses the device of claim 22, wherein said transmitter includes a Bluetooth transmitter. [0041]

Regarding claim 24, Walley discloses the system of claim 21 including a transmitter to transmit information over at least two different radio frequency networks as well as a telephone network. [0040-0041]

Regarding claim 25, Walley discloses the device of claim 24 including a transmitter to transmit over a cellular telephone network and-a Bluetooth network. [0040-0041]

Regarding claim 26, Walley discloses the device of claim 21 wherein said processor is programmed to receive enumeration data over a non-radio frequency network so as to combine the first radio frequency network with a second radio frequency network over said non-radio frequency network. [0035-0036, 0056]

Regarding claim 27, Walley discloses the device of claim 21 including a receiver and a transmitter to implement a telephone link while simultaneously exchanging data received over a separate radio frequency link. [0040]

Regarding claim 28, Walley discloses the device of claim 21, wherein said transmitter packetizes voice data. [0037, 0041] Sending voice over a Bluetooth connection inherently involves packetization.

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Regarding claim 29, Walley discloses the device of claim 28 wherein said transmitter packetizes enumeration data and transmits it with packetized voice data. [0035-0041] Enumeration data is necessary to send the packet to the correct device and therefore inherently a part of the packetized data.

Regarding claim 30, Walley discloses the device of claim 29 wherein said device is a Bluetooth and cellular transceiver. [0041]

(10) Response to Argument

Applicant's position is that there are not multiple networks in Walley, and that Walley "teaches away" from bridging multiple networks.

The examiner maintains, that despite the supposed "wording" of Walley, there are clearly multiple networks consistent with the claimed limitations. When there are multiple connected devices, it is considered a network, and in this case a base station and a mobile constitutes a network, and communicating address data between a base-handset pair and another base-handset pair is a connection of two networks, and arguments against this are purely semantic.

Further it is clearly shown in Walley that two networks and the sharing of address information between the two is anticipated. Looking at Figure 10, which is described in paragraph [0056] of applicant's specification, Walley's wording does not show a limitation to a single network but clearly discloses sharing between two networks, clearly and distinctly identified as **1000** and **1020** in the figure and in the text. It is further described by Walley that, *"it may be desirable to connect base-handset pairs in network 1000 with a base-handset pair in network 1020."* This is a clear indication of a connection of two networks.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Lewis West



Conferees:

Edward Urban



EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Matthew D. Anderson



Matthew D. Anderson
Supervisory Patent Examiner